THE HON'BLE MR JUSTICE S.ANANDA REDDY

Writ Petition No.16808 of 2005

01-08-2005

Between:

Siva Sai Elementary School, Markapur, Prakasam District, rep. By its Correspondent, Sri K.Siva Kumar. S/o Sri Shyamsunder Rao, aged about 23 years, resident of Markapur, Prakasam District.

... PETITONER

AND

1. The Government of Andhra Pradesh rep. By its Secretary, School Education Department, Secretariat Buildings, Hyderabad and others.

.....RESPONDENTS

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Writ Petition No.16808 of 2005

ORDER:

This writ petition is filed seeking a writ of Mandamus declaring the action of the respondents in not approving the selections made by the petitioner on 20.06.2004 with reference to two aided Secondary Grade Teacher (SGT) Posts as illegal, arbitrary and consequently sought for a direction to the respondents to approve the selection proposals sent by the petitioner on 21.06.2004 without reference to the ban imposed by the first respondent by Memo dated 20.10.2004.

It is stated that the petitioner is running an elementary School. As two SGT posts fell vacant, the petitioner sent proposals seeking approval of the third respondent for filling up those two vacant posts. In pursuance of the approvals granted by the third respondent, the selections were held on 20.06.2004 and as per the selections made by the Selection Committee constituted in accordance with the Rules, the list of selected candidates was sent for approval. However, the respondents did not act upon the said list. Therefore, the petitioner has come up with the present writ petition.

Heard the learned counsel for the petitioner and the learned Government Pleader for School Education.

As this Court has taken the view that the ban imposed by the Government vide Memo dated 20.10.2004 has no application with reference to the posts which fell vacant and where approvals were granted prior to the said date for filling up the vacancies, the respondents are obligated to approve the selections already made prior to 20.10.2004.

Under the above circumstances, the writ petition is disposed of directing the respondents to pass appropriate orders in accordance with law approving the list of selected candidates for filling up two aided SGT posts expeditiously, preferably within a period of eight weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

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01.08.2005

Note: Issue CC in two days.

(b/o)

VGB